

# **Exhibit A**

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November 19, 2018

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**BY HAND DELIVERY**

Mr. Barry Walters  
Chief FOIA Officer  
Office of FOIA Services  
U.S. Securities and Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 20549-2736

Re: Freedom of Information Act Request

Dear Mr. Walters:

I represent New York Stock Exchange LLC (“NYSE”). Pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), and the implementing regulations of the U.S. Securities and Exchange Commission (“SEC”), 17 C.F.R. § 200.80, on NYSE’s behalf I hereby request copies of all documents described below that were created or obtained by the SEC between October 1, 2017, and November 19, 2018:

1. All documents concerning, referring, relating to, referencing, or reflecting any involvement or participation of Brett Redfearn, Director, Division of Trading and Markets, in any aspect of the proceedings in *In re Application of Securities Industry & Financial Markets Ass’n*, Admin. Proc. File No. 3-15350; *In re Applications of Securities & Financial Markets Ass’n & Bloomberg L.P.*, Securities Exchange Act of 1934 Rel. No. 84432 (Oct. 16, 2018); and the additional proceedings listed in Exhibit A to Release No. 84433 (collectively, “Market Data Proceedings”), including but not limited to involvement or participation in the drafting or preparation of the Commission’s orders in the Market Data Proceedings.

2. All documents concerning, referring, relating to, referencing, or reflecting any communication or meeting relating to the recusal or possible recusal of Mr. Redfearn from participation in the Market Data Proceedings.

3. All documents concerning, referring, relating to, referencing, or reflecting any meetings or communications between (a) Mr. Redfearn and (b) any third party (meaning any natural person or any legal entity other than the SEC), relating to the Market Data Proceedings. This request is directed to (a) Mr. Redfearn’s official SEC email account and telephone and (b) Mr. Redfearn’s personal email account(s), messaging system(s), and telephone(s), including but

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Mr. Barry Walters

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not limited to personal cellular telephones and ephemeral and/or encrypted messaging systems (including but not limited to Signal, Wickr, Confide, Telegram, Tutanota, ProtonMail, PreVeil, Virtru, PGP, OTR, and ChatSecure).

4. All documents concerning, referring, relating to, referencing, or reflecting any meetings or communications between (a) the SEC, including but not limited to Mr. Redfearn and (b) The Wall Street Journal, including but not limited to reporters employed by, affiliated with, or connected to The Wall Street Journal, relating to the Market Data Proceedings, including any communications conducted using any of the methods enumerated in Request No. 3.

If any of the information sought herein is deemed to be nonpublic under FOIA or the SEC's implementing regulations, the SEC is required to identify the specific exemption and provide any reasonably segregable portion of such information after deletions of the portions that are considered nonpublic. The SEC is required to clearly delineate any and all redactions in such a manner so that the justification for each redaction is apparent. If the SEC withholds any documents in whole or in part, the SEC is required to provide an estimate of the volume of records that are being withheld, *see* 17 C.F.R. § 200.80(e)(2)(iv), as well as a log of those documents or portions of documents withheld.

NYSE requests that you provide copies of all responsive documents in electronic format if possible. Otherwise, photocopies are acceptable. No delay should be incurred on the basis that records are held in a particular format.

NYSE agrees to pay all reasonable fees for the searching and reproduction of all documents and records falling within the scope of this request. If any expenses incurred by the SEC in duplicating these documents must be covered by the requesting party under FOIA, please send the bill directly to me at the above address.

NYSE insists that the SEC strictly comply with the 20-day time limit established by FOIA and the SEC's implementing regulations. See 17 C.F.R. § 200.80(d)(2).

Thank you for your time and attention to his request. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas W. Henkin", written in a cursive style.

Douglas W. Henkin